

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARCELLO WILLIAMS LESTER,

Petitioner,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS,

Respondent.

Case No. 2:21-cv-01367-JDP (HC)

ORDER DIRECTING PETITIONER TO FILE  
AN APPLICATION TO PROCEED IN  
FORMA PAUPERIS OR PAY THE FILING  
FEE

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an *in forma pauperis* affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed *in forma pauperis* or submit the appropriate filing fee.

In accordance with the above, it is hereby ORDERED that:


1. Petitioner shall submit, within thirty days from the date of this order, either an affidavit in support of his request to proceed *in forma pauperis* or the appropriate filing fee.

2. Petitioner's failure to comply with this order will result in a recommendation that this action be dismissed.

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2 3. The Clerk of the Court is directed to send petitioner a copy of the *in forma pauperis*  
3 form used by this district.

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5 IT IS SO ORDERED.

6 Dated: September 16, 2021

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8 JEREMY D. PETERSON  
9 UNITED STATES MAGISTRATE JUDGE  
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